

## *Legal & Veterans' Affairs*

**PUBLIC 500      An Act to Clarify the On-premise Liquor License Application Process      LD 1883**

<u>Sponsor(s)</u> DAVIS P LABRECQUE	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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Public Law 2001, chapter 500 clarifies that municipal officers or county commissioners have 60 days to take final action on a new application for an on-premise liquor license. Renewal license applications must be approved within 120 days.

**PUBLIC 501      An Act to Prohibit the Consumption of Liquor by Minors on a Brewery Premises      LD 1908**

<u>Sponsor(s)</u> DOUGLASS LABRECQUE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-418
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Public Law 2001, chapter 501 corrects language contained in the provision of law governing the issuance of brewery and small brewery licenses so that it is consistent with the provision that prohibits the sale of any liquor or imitation liquor for consumption by a minor.

**PUBLIC 502      An Act to Allow Approval of Internet-based Alcohol Server Education Courses      LD 1919**

<u>Sponsor(s)</u> DOUGLASS LABRECQUE	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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Public Law 2001, chapter 502 authorizes the Commissioner of Public Safety or the commissioner's designee to approve Internet-based alcohol server education courses.

**PUBLIC 512      An Act to Amend the Civil Service Law with Respect to Veterans' Preference      LD 1915**

<u>Sponsor(s)</u> DOUGLASS DUNCAN	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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Public Law 2001, chapter 512 broadens eligibility for veterans' preference in making appointments to the classified service by eliminating the requirement for participation in a war, campaign or expedition defined in the current law. As a result, it eliminates distinctions as to the period of service that currently exist in the veterans' preference statute.

### **PUBLIC 516      An Act to Amend the Election Laws      LD 2023**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE DOUGLASS	OTP-AM	H-776 S-422 DOUGLASS

Public Law 2001, chapter 516 clarifies that election officials must open the boxes of ballots on election day to verify the number of ballots received. This law sets a time certain that the incoming voting list must remain sealed after an election. It clarifies the information that must be included in the election returns from the municipalities, as well as the Secretary of State's tabulation of the vote. Chapter 516 also specifies that a candidate must receive at least one vote in the primary or other election in order to win by a plurality of the votes cast. The law also provides for a poster to advise prospective registrants and voters of their rights. It provides for the federal absentee ballot to be used by members of the United States Armed Forces and citizens outside the United States in primary and general elections. Finally, this law makes several changes to the statutes in order to be consistent with recent court decisions regarding voting rights of persons under guardianship for mental illness, Congressional term limitations and payment for the collection of petition signatures.

### **PUBLIC 535      An Act Concerning Confidentiality of Investigations by the      LD 1890** **Commission on Governmental Ethics and Election Practices**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	OTP      MAJ ONTP      MIN	

Public Law 2001, chapter 535 repeals the provision of law that requires the Commission on Governmental Ethics and Election Practices to keep a request for investigation confidential if it is filed within 10 business days immediately preceding the election.

### **PUBLIC 538      An Act to Amend Certain Statutes Regarding Beano and Games of      LD 2015** **Chance**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIZMAR	OTP-AM	H-848

Public Law 2001, chapter 538 specifies that non-profit organizations must be in existence for 2 consecutive years in order to be eligible for a license to conduct games of chance. This law provides that the Chief of the State

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Police may require evidence from a licensee regarding the conduct of beano or games of chance in order to determine compliance with the laws governing those games. Chapter 538 also permits licensed agricultural fair societies to use tokens in the denomination of \$1 for games of chance.

### **PUBLIC 567      An Act Regarding Horse Racing**

**LD 289**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY FERGUSON	OTP-AM	H-794

Public Law 2001, chapter 567 amends the definition of a "commercial track" by deleting the different criteria that currently apply to areas with different populations. It also makes technical changes to make the use of this term consistent with the term "commercial licensee." Public Law 2001, chapter 567 specifies that harness racing judges for commercial tracks are appointed by the State Harness Racing Commission with the approval of the track and that the judges are hired as employees of the track on an annual basis. It also provides for the transfer of a commercial track license to another location. This law provides that if a race date at a commercial track is canceled due to a horse shortage that race date is still valid for the purposes of meeting the number of race dates required for the track to qualify as a commercial track.

### **PUBLIC 589      An Act to Ensure Proper Disbursement of Matching Funds under      LD 2169 the Maine Clean Election Act**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM    MAJ ONTP       MIN	H-971

Public Law 2001, chapter 589 amends the accelerated reporting schedule for traditionally funded candidates who have received or spent 101% of the amount disbursed to their opponents who are financed by the Maine Clean Election Act. The 42nd day report will reflect activity through the 44th day prior to election day, the 21st day report will reflect activity through the 23rd day prior to election day and the 12th day report will reflect activity through the 14th day prior to election day. Under this law, the requirement for filing 48 hour single expenditure reports begins the 14<sup>th</sup> day prior to election day.

### **PUBLIC 637      An Act to Establish a Centralized Voter Registration System for the LD 2182 State**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

Public Law 2001, chapter 637 defines "centralized voter registration system" and authorizes the Secretary of State to apply for and receive funds for the establishment of a centralized voter registration system. It establishes

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the Centralized Voter Registration Advisory Committee to assist the Secretary of State and requires the Secretary of State to develop a pilot program to test a centralized voter registration system and fully implement a centralized voter registration system by December 31, 2007. Under this law, the Secretary of State is authorized to adopt rules to implement and administer a centralized voter registration system. Such rules would be major substantive rules. The Secretary of State is required to report annually to the joint standing committee of the Legislature having jurisdiction over voter registration matters and may recommend legislation necessary to implement or administer the centralized voter registration system.

### **PUBLIC 662      An Act to Update the Department of Defense, Veterans and      LD 1752** **Emergency Management Laws**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-837
DOUGLASS		H-946 TUTTLE
		S-557 DOUGLASS

Public Law 2001, chapter 662 makes technical language changes throughout the Department of Defense, Veterans and Emergency Management's laws, modifies the Maine Code of Military Justice, authorizes the sale of 2 armories in accordance with established procedures, fortifies reemployment rights of service members, redesignates veteran service officers to veteran advocates and modifies the mechanism by which the Governor declares a state of emergency. Chapter 662 specifies that the sale of the Caribou Armory must be at market value. Current law states that a veteran is eligible for burial in the veterans' cemetery if he or she was a resident of the State at the time of entering military service or at the time of death. This requirement is repealed by this law. It authorizes the Governor to enter into an agreement with the Federal Emergency Management Agency for debris removal financial assistance. Under this agreement the Governor is authorized to indemnify the Federal Government against any claim arising from such removal as required by federal law. Chapter 662 reenacts the River Flow Advisory Commission that was inadvertently repealed by Public Law 2001, chapter 460, a law whose purpose was to "consolidate existing dam safety laws within the Department of Defense, Veterans and Emergency Management and move the Dam Repair and Reconstruction Fund from the Department of Environmental Protection to the Department of Defense, Veterans and Emergency Management." Finally, this law authorizes state-supported postsecondary vocational schools and institutions to reduce the tuition waiver by the amount necessary to ensure that the value of the waiver, combined with other grants and benefits, does not exceed the total cost of the education.

### **PUBLIC 672      An Act to Make the Use of Tokens or Tickets for Games of Chance      LD 2055** **EMERGENCY      at Agricultural Fairs Optional**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHICK	OTP-AM      MAJ	H-853
WOODCOCK	ONTP      MIN	S-512 MILLS

Public Law 2001, chapter 672 makes the use of tokens an optional method for controlling revenue in games of chance conducted at agricultural fairs. It authorizes the Chief of the State Police to adjust record-keeping and reporting requirements for licensees who choose to use tokens.

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Public Law 2001, chapter 672 was enacted as an emergency measure effective April 11, 2002.

**PUBLIC 676      An Act to Include a Woman Veteran on the Board of Trustees of      LD 2211**  
**the Maine Veterans' Homes**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

Public Law 2001, chapter 676 amends the law governing the membership of the Board of Trustees of the Maine Veterans' Homes. It increases the membership from 10 to 11 and requires that at least one member appointed to the board be a female veteran.

**PUBLIC 711      An Act to Implement the Recommendations of the Commission to      LD 2123**  
**Develop a Plan to Implement the Closure of State Liquor Stores**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-1122

Public Law 2001 chapter      maintains current law that directs the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to close six state liquor stores between June 1, 2002 and December 31 2002. It repeals the requirement that when the Bureau of Liquor Enforcement licenses a private agency liquor store it must be at least 3.5 miles away from an existing agency liquor store. It requires an agent permitted to resell spirits and fortified wine purchased from the State Liquor Commission to a retail licensee licensed for on-premise consumption to obtain a state reselling agent license for an annual fee of \$50. Under this law, all spirits and fortified wine purchased from the State Liquor Commission will be sold at the retail price established by the commission. Finally, this law provides that an agency liquor license may be transferred to the spouse or heir of a deceased licensee as long as the spouse or heir meets all of the criteria applied to a traditional license applicant.

**RESOLVE 82      Resolve, Directing the Director of the Bureau of Liquor      LD 1886**  
**Enforcement to Study the Equity of Fees for Establishments**  
**Licensed to Sell Liquor for On-premises Consumption**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	OTP-AM	S-453
TUTTLE		

Resolve 2001, chapter 82 directs the Director of the Bureau of Liquor Enforcement within the Department of Public Safety to study the equity of fees for establishments licensed to sell spirits, wine and malt liquor for on-

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premises consumption. The report is to be submitted to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters by December 31, 2003.

**RESOLVE 109**      **Resolve, Regarding Legislative Review of Chapter 3: Maine Clean**    **LD 2183**  
**EMERGENCY**      **Elections Act and Related Provision Amendments, Major**  
                         **Substantive Rules of the Commission on Governmental Ethics and**  
                         **Election Practices**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

Resolve 2001, chapter 109 approved major substantive rules governing the Maine Clean Election Act administered by the Commission on Governmental Ethics and Election Practices. Some of the rules adopted govern distribution of matching funds, record-keeping by participating candidates, the return of unspent funds and the liquidation of property purchased with Maine Clean Election Act funds.

Resolve 2001, chapter 109 was enacted as an emergency measure effective April 8, 2002.